

pended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 2, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Land and Land Office, to whom was referred

S. B. No. 437, A bill to be entitled "An Act to revive and extend the time of expiration of Oil and Gas permit No. 7987 on 36.2 acres of the bed of Goose Creek in Harris County, Texas, for a period of three years from June 11, 1927, upon the same terms and conditions on which the original permit was issued, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be printed in the Journal.

REAL, Chairman.

By Hall.

S. B. No. 437.

Whereas, the owner of Oil and Gas Permit No. 7987, issued by the Commissioner of the General Land Office of the State of Texas on 36.2 acres of the bed of Goose Creek, in Harris County, Texas, upon receiving said permit made location and began preparations for drilling a well on said area, but was prevented from commencing said well by the engineers of the United States under the policy of the government then obtaining to not permit wells to be drilled in navigable waters, and

Whereas, this policy has recently been relaxed so as to permit such drilling where same can be done without detriment to navigation, and,

Whereas, the owner of said permit has paid all annual rentals thereon and is not in default in performing the obligations required under said permit, being refused permission to drill thereon by said engineers, and

Whereas, it is to the interest of the State of Texas to have its mineral lands developed and to secure the revenue accruing from the oil and gas that may be developed therefrom, and that justice to the owner of said permit requires that he be given an opportunity to develop same, now therefore,

A BILL To Be Entitled

An Act to revive and extend the time of expiration of Oil and Gas Permit No. 7987 on 36.2 acres of the bed of Goose Creek in Harris County, Texas, for a period of three years from June 11, 1927, upon the same terms and conditions on which the original permit was issued, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Oil and Gas Permit No. 7987, issued by the Commissioner of the General Land Office, on 36.2 acres of the bed of Goose Creek in Harris County, Texas, be and the same is hereby revived and extended for a period of three years from June 11, 1927, upon the same terms and conditions recited in said original permit, and the rights, privileges and obligations of the owner of said permit and of the State of Texas shall remain and be the same as if the expiration date of said permit had originally been fixed at three years from June 11, 1927.

Sec. 2. The fact that such development may contribute substantially to the wealth of the State through royalties from the oil and gas which may be produced from said area and, justice to the owner of said permit, who is ready, able and willing to begin operations for the development of said area as soon as permission is obtained from the United States authorities to drill thereon, create an emergency and an imperative public necessity exists that the rule requiring bills to be read on three several days in each House be suspended and that this bill be placed upon its third reading and final passage and take effect from and after its passage, and it is so enacted.

THIRTY-FOURTH DAY.

Senate Chamber,

Austin, Texas March 3, 1927.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Moore.	Woodward.
Neal.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Read.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Wood.

S. B. No. 463, A bill to be entitled "An Act amending Article 2529 of the Revised Civil Statutes of 1925 in respect to the security required of State depository banks and fixing the interest rate to be paid by said banks; eliminating from the law the provision authorizing the State Treasurer to invest State funds in United States bonds; providing the rate of interest that shall be paid by State depositories; etc., and declaring an emergency."

Read first time and referred to Committee on Banking.

By Senator Holbrook.

S. B. No. 464, A bill to be entitled "An Act amending Article 2529, Revised Civil Statutes of 1925, relating to the security required of State depository banks and fixing the interest rate to be paid by said banks; amending Article 2533, Revised Civil Statutes of 1925, providing for the waiving of the payment of interest on such funds by Reserve depository banks under certain circumstances; repealing Article 2538, Revised Civil Statutes of 1925, authorizing the Treasurer to invest State funds in United States Government bonds, and repealing Articles 2540, 2541, 2542 and 2543. Revised Civil

Statutes of 1925, creating the Texas Rate Making Board and fixing its duties, and declaring an emergency."

Read first time and referred to Committee on Banks and Banking.

By Senator Witt.

S. B. No. 465, A bill to be entitled "An Act to authorize the Board of Directors of the Agricultural and Mechanical College of Texas to establish and maintain a horticultural experiment station at some point within the limits of McLennan County in the State of Texas, for the purpose of making scientific investigation and experiment in the growing of truck and other agricultural products suitable for the said section, etc., and declaring an emergency."

Read first time and referred to Committee on Agriculture.

By Senator Greer.

S. B. No. 466, A bill to be entitled "An Act to amend Article 1350, of Title 17, Chapter 3, of the Revised Criminal Statutes of the State of Texas of 1925, providing penalties for persons wilfully and maliciously destroying personal property, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

Senate Resolution.

Senator McFarlane sent up the following resolution:

By McFarlane. S. R. No. 70.

Whereas, Alvin C. York of Tennessee is one of the most, if not the most outstanding hero of the World War, and

Whereas, He will be in the City of Austin for the purpose of making an address on March 4, 1927,

Now Therefore, be it Resolved by the Senate of the State of Texas: That the said Alvin C. York be, and he is hereby granted the use of the Senate Chamber on the evening of March 4, 1927, for the purpose of making an address.

McFarlane, Bledsoe, Greer, Ward, Bailey, Fairchild, Hall, Reid, Stuart, Love, Russek, Neal, Westbrook, Smith.

The resolution was read and adopted.

Messages From The House.

The Chair recognized the Door-keeper who introduced a messenger from the House with the following messages.

Hall of the House of Representatives,
Austin, Texas, March 3, 1927.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 318, A bill to be entitled "An Act amending Article 705, of Chapter 1, Title 12, of the Penal Code of the State of Texas adopted at the Regular Session of the Thirty-ninth Legislature of the State of Texas, regulating the manner of examination of employees of person, firms, corporations, or common carriers, operating or conducting any hotel, cafe, restaurant, dining car or other public eating place, or operating any bakery or meat market, public dairy or candy factory in this State."

H. B. No. 437, A bill to be entitled "An Act to provide for the creation of public parks in counties having an assessed taxable valuation of one hundred and forty million dollars or more, and providing for the issuance of bonds for the creation and maintenance of such parks and to purchase the requisite lands therefor, providing a tax of five cents on the \$100 property valuation to pay the interest on such bonds and to create a sinking fund therefor, and further providing that such tax of five cents shall be in addition to all other taxes allowed to such counties by law and providing for the creation of an advisory park board under the direction of the commissioners' court of each county, and repealing Article 6078 of the Revised Civil Statutes of 1925, and all other laws in conflict herewith in so far as same apply to counties having an assessed property valuation of one hundred and forty million dollars or more, and declaring an emergency."

H. B. No. 320, A bill to be entitled "An Act to provide for a license for non-residents and aliens who fish in the inland and coastal waters of the State of Texas; and to provide for a license for male residents of the State of Texas who have reached the age of 17 years that fish in any of the inland or coastal waters of

Texas, except in the county of their residence; and to provide for a license for such male residence who shall fish with artificial lures in any of the inland or coastal waters of Texas; to prescribe the license fees for such licenses and to provide for the issuance of said licenses by the Game, Fish and Oyster Commissioner, his deputies, county clerks or other legally authorized agents; and to provide for the payment of these officers for the issuance of said licenses, and to provide for the disposition of the funds from said licenses, and to provide for the failure of persons to procure a license to fish where the same are required, and to define the term non-resident as used in this act, and declaring an emergency."

H. B. No. 398, A bill to be entitled "An Act to provide for the designing, purchase and installation of a memorial tablet in the Texas Memorial Stadium, commemorating the services of Texas men and women who served in the World War; providing for a committee to design, select and install the tablet herein provided for; making an appropriation for all expenses incident thereto, and declaring an emergency."

H. B. No. 563, A bill to be entitled "An Act making appropriations to cover deficiencies in appropriations heretofore made for the support of the Judiciary Department of the State government, and declaring an emergency."

H. B. No. 609, A bill to be entitled "An Act to authorize the State Highway Commission to employ a chief auditor of accounts and expenditures, three engineer accountants or inspectors, and two equipment inspectors, fix their compensation and pay for the same out of the State Highway Fund."

S. J. R. No. 24, A joint resolution "Proposing an amendment to the Constitution of the State of Texas providing for a Supreme Court consisting of a chief justice and not less than eight associate justices, one Court of Criminal Appeals consisting of a presiding judge and not less than two associate judges, and altering the provisions of Article V of the State Constitution so as to more adequately provide for a judicial department of the State Government."

Respectfully submitted,

M. LOUISE SNOW,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 3, 1927.

Hon. Barry Miller, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that the House
has adopted the following resolution:

S. C. R. No. 24—Recalling Senate
Bill No. 60 from the Governor.

Respectfully submitted,

M. LOUISE SNOW.

Chief Clerk, House of Representatives.

S. J. R. No. 29.

Senator Love moved that the
Committee on Constitutional Amend-
ments be instructed to report S. J.
R. No. 29 forthwith:

The motion was lost.

House Bill No. 264. ^{p332}

Senator Fairchild moved to re-
consider the vote by which H. B. No.
264 on yesterday failed to be en-
grossed. The motion prevailed.

The Chair laid before the Senate
on second reading the following bill:

H. B. No. 264, A bill to be entitled
"An Act to authorize the Commis-
sioner of the General Land Office
to revalue, reclassify and give new
notice on all scrap school surveys,
which were valued and classified on
March 26, 1926, and to allow all
applicants sixty days after such re-
classification and revaluation in
which to file applications to purchase
said land and declaring an emer-
gency."

The bill was read second time.

The committee report was adopted.

The bill passed to third reading.

On motion of Senator Fairchild,
the constitutional rule requiring bills
to be read on three several days was
suspended and H. B. No. 264 put on
its third reading and final passage,
by the following vote:

Yeas—31.

Bailey.	Moore.
Berkeley.	Neal.
Bledsoe.	Parr.
Bowers.	Pollard.
Fairchild.	Price.
Floyd.	Real.
Greer.	Reid.
Hall.	Russek.
Hardin.	Smith.
Holbrook.	Stuart.
Lewis.	Triplett.
Love.	Ward.
McFarlane.	Westbrook.
Miller.	Wirtz.

Witt.
Wood.

Woodward.

The bill was read third time and
passed finally.

Bills Referred.

After their captions were read the
Chair referred the following House
bills:

House Bill No. 320 read and re-
ferred to Committee on State Affairs.

House Bill No. 318 read and re-
ferred to Committee on Public
Health.

House Bill No. 437 read and re-
ferred to Committee on State Affairs.

House Bill No. 398 read and re-
ferred to Committee on Finance.

House Bill No. 563 read and re-
ferred to Committee on Finance.

House Bill No. 609 read and re-
ferred to Committee on State Affairs.

Bills Signed.

The Chair, Lieutenant Governor
Miller, gave notice of signing, and
did sign, in the presence of the
Senate, after their captions had been
read, the following bills:

H. C. R. No. 30.

H. C. R. No. 31.

S. C. R. No. 24

House Bill No. 245.

The Chair laid before the Senate,
on third reading, the following bill:

H. B. No. 245, A bill to be entitled
"An Act to validate all ad valorem
tax levies heretofore made by cities
and towns in the State of Texas,
which levies are unenforcible be-
cause of the failure of the governing
bodies in such respective cities and
towns to make such levies by ordi-
nance, and declaring an emergency."

The bill was read third time.

Senator Lewis sent up the follow-
ing amendment:

Amend H. B. No. 245, by changing
the period at the end of Section 1,
thereof, substituting a semi-colon in
place of said period and adding the
following: "provided that the provis-
ions of this bill shall not apply to
cities and towns in any of the coun-
ties of this State having a popula-
tion of less than 30,000 inhabitants
each according to the last Federal
census."

The amendment was read and
adopted by unanimous consent.

The bill was finally passed.

House Bill No. 323.

The Chair laid before the Senate, on the calendar, the following bill:

H. B. No. 323, A bill to be entitled "An Act providing for the acceptance ratification and adoption of the National Defense Act enacted and amended by the Congress of the United States relating to the National Guard; recognizing the right of the President of the United States to call or draft the Texas National Guard and Texas National Guard Reserve into the military service of the United States; the resumption of the Texas National Guard and the Texas National Guard Reserve of their membership in the Texas National Guard and in the Texas National Guard Reserve on termination of such service, and declaring an emergency."

The bill was read second time.

On motion of Senator Bowers further consideration of the bill was postponed until Wednesday, March 9, after the morning call.

House Bill No. 35.

The Chair laid before the Senate, on third reading, the following bill:

H. B. No. 35, A bill to be entitled "An Act to amend Article 2494 of the Revised Civil Statutes of 1925, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—31.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Moore.	Woodward.
Neal.	

House Bill No. 300.

The Chair laid before the Senate, on the calendar, the following bill:

H. B. No. 300, A bill to be entitled "An Act requiring uniform fire hose couplings and fire hydrants hose outlets in all cities and towns having

public fire protection; setting forth specifications for uniform couplings and outlets; providing for carrying on the work of making all couplings and outlets uniform; making appropriation for salaries, traveling expenses necessary for placing in effect the provisions of this Act, and declaring an emergency."

The bill was read second time and laid on the table subject to call.

House Bill No. 20.

The Chair laid before the Senate, on the calendar, the following bill:

H. B. No. 20, A bill to be entitled "An Act to prevent fraud, misrepresentation or unfair practices in the sale of merchandise or other property by means of a plan commonly known as the 'endless chain,' imposing an occupation tax, fixing penalty and declaring an emergency."

The bill was read second time and laid on the table subject to call.

House Bill No. 137.

The Chair laid before the Senate, on the calendar, the following bill:

H. B. No. 137, A bill to be entitled "An Act to amend Article 2350 of the Revised Civil Statutes of Texas, changing the year upon which is based the assessed valuation of taxable properties affected by the Act to be amended relating to the compensation of county commissioners, and declaring an emergency."

The bill was read second time.

The committee report was adopted.

The bill was passed to third reading.

On motion of Senator Wirtz, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 137 was put on its third reading and final passage, by the following vote:

Yeas—30.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Greer.	Smith.
Hall.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Miller.	Witt.
Moore.	Wood.
Neal.	Woodward.

Absent.

Hardin.

The bill was read third time and passed finally.

House Bill No. 291.

The Chair laid before the Senate, on the calendar, the following bill:

H. B. No. 291, A bill to be entitled "An Act amending Articles 3334 and 3336 of the Revised Civil Statutes of 1925, relating to the manner of service of citation on application for the probate of wills, and inserting Article 3334a, validating the service of citation and the probating of wills, in so far as notice is concerned, where citation has been made by publication, as provided for by Article 28, without posting notices, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 291 was put on its third reading and final passage, by the following vote:

Yeas—22.

Berkeley.	Parr.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Greer.	Smith.
Hall.	Ward.
Holbrook.	Westbrook.
Love.	Wirtz.
Miller.	Witt.
Moore.	Wood.
Neal.	Triplett.

Absent.

Bailey.	Pollard.
Floyd.	Russek.
Hardin.	Stuart.
McFarlane.	Woodward.

Present—Not Voting.

Lewis.

The bill was read third time and passed finally.

House Bill No. 203.

The Chair laid before the Senate, on the calendar, the following bill:

H. B. No. 203, A bill to be entitled "An Act to amend Article 6214, Title 109, Revised Civil Statutes, 1925,

so as to provide that Confederate veterans receiving pensions from the State government on account of services rendered subsequent to the Civil War shall not be deprived of pensions under the General Laws of this State, and all Confederate veterans who are inmates of the Confederate home may receive pensions equal in amount to one-half of the pensions payable to non-inmate veterans, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Pollard, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 203 was put on its third reading and final passage, by the following vote:

Yeas—31.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Moore.	Woodward.
Neal.	

The bill was read third time and passed, finally, by the following vote:

Yeas—31.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Moore.	Woodward.
Neal.	

House Bill No. 359.

The Chair laid before the Senate, on the calendar, the following bill:

Recess.

On motion of Senator Hall, the Senate, at 12:15 p. m., recessed until this afternoon at 2:00 o'clock.

After Recess.

The Senate was called to order at 2:00 p. m. by Lieut. Gov. Barry Miller, pursuant to recess.

Messages From The House.

The Chair recognized the Door-keeper, who introduced a messenger from the House, with the following messages:

Hall of the House of Representatives,
Austin, Texas, March 3, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 316, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended from time to time, so as to include Fort Bend County."

With engrossed order.

Respectfully submitted,

M. LOUISE SNOW,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 3, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 169, A bill to be entitled "An Act providing for the extension of electric light, power and gas lines by street and interurban railway corporations for the purpose of supplying light, power and gas to the public at points beyond the territory adjacent to the towns or cities in or through which they operate, with the right for such purposes, of any such corporation to acquire, lease, or purchase the physical properties, rights and franchises, of any other person, firm or corporation engaged in the business of selling electric light power or gas to the public, and declaring an emergency."

With amendment.

Respectfully submitted,

M. LOUISE SNOW,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 3, 1927.

Hon. Barry Miller, President of the Senate.

Sir: In compliance with Senate Simple Resolution No. 71, the House returns herewith S. B. No. 273 for further consideration.

Has passed finally

H. J. R. No. 27, A joint resolution "Proposing an amendment to Section 10, Article 8, of the Constitution of Texas, placing limitations on the power of the Legislature to remit taxes.

Respectfully submitted,

M. LOUISE SNOW,

Chief Clerk, House of Representatives.

Senate Bill No. 460.

On motion of Senator Russek, the regular order of business was suspended, and the Senate took up, out of its order, S. B. No. 460.

S. B. No. 460, A bill to be entitled "An Act ratifying, confirming, approving and validating certain orders and notices of the Commissioners' Court of Cameron county, Texas, relating to the issuance of bonds of Cameron County in the total sum of \$6,000,000.00 for the purpose of construction, maintenance and operation of macadamized, graveled or paved roads or turnpikes in aid thereof, and the levy of a tax upon all of the taxable property in said county, etc., and declaring an emergency."

The bill was read second time.

The committee report was adopted.

The bill passed to engrossment.

H. J. R. No. 5.

The Chair laid before the Senate, on the calendar, the following bill:

H. J. R. No. 5, A joint resolution "Proposing an amendment to the Constitution, so as to make taxable university lands of the county where located.

The resolution was laid on the table subject to call.

House Bill No. 50.

The Chair laid before the Senate, the following bill:

H. B. No. 50, A bill to be entitled "An Act to regulate motor propelled passenger vehicles not usually operated on or over rails and engaged regularly in the business of transporting passengers for compensation for hire over the public highways of

the State; defining motor bus companies and declaring them to be common carriers; excepting motor bus companies operating wholly within an incorporated town or city and suburbs thereof; defining the terms 'corporation,' 'person,' 'public highways,' 'Highway Commission' and 'Commission;' providing for the issuance of certificates of convenience and necessity to motor bus companies, and prescribing the conditions upon which such certificate may be issued; requiring the Railroad Commission of Texas to supervise and regulate the public service rendered by every motor bus company; to fix or approve maximum and minimum fares, rates or charges; to prescribe all rules and regulations necessary for the government of motor bus companies, etc."

The bill was read second time.

The committee amendments were read and adopted.

Senator Bailey sent up the following amendment:

Amend H. B. No. 50, by striking out all of Section 11, and inserting in lieu thereof the following:

"Sec. 11. The Commission shall, in the granting of any certificate to any motor bus company for regularly transporting persons as passengers for compensation or hire, require the owner or operator to first procure liability and property damage insurance from a company licensed to make and issue such insurance policy in the State of Texas covering each and every motor propelled vehicle while actually being operated by such applicant. The amount of such policy or policies of insurance shall be fixed by the Commission by general order or otherwise; and the terms and conditions of said policy or policies covering said motor vehicles are to be such as to indemnify the applicant against loss by reason of any personal injury to any person or loss or damage to the property of any person other than the assured and his employees. Such policy or policies shall furthermore provide that the insurer will pay all judgments which may be recovered against the insured motor bus company based on claims for loss or damage from personal injury or loss of or injury to property occurring during the term of the said policy or policies and arising out of the actual operation of such motor bus or

busses; and such policy or policies shall also provide for successive recoveries to the complete exhaustion of the face amount thereof, and that such judgments will be paid by the insurer irrespective of the solvency or insolvency of the insured. Such liability and property damage insurance as required by the Commission shall be continuously maintained in force on each and every motor propelled vehicle while being operated in common carrier service. In addition to the insurance hereinabove set forth, the owner or operator shall also protect his employees by taking out workmen's compensation insurance either as provided by the Workmen's Compensation Laws of the State of Texas or in a reliable insurance company approved by the Railroad Commission of the State of Texas. The taking out of such indemnity policy or policies shall be a condition precedent to any operation and such policy or policies as required under this Act, shall be approved and filed with the Commission and failure to file and keep such policy or policies in force and effect as provided herein shall be cause for the revocation of the certificate and shall subject the motor bus company so failing to the penalties prescribed herein. It is also provided during the trial of any case against such motor bus company the fact that such bus owner or operator is protected by indemnity insurance shall not be referred to.

The amendment was read and adopted.

Senator Love sent up the following amendment to the amendment:

Amend the pending amendment by striking out the last sentence.

The amendment was read.

Senator Woodward moved to table the amendment.

The motion to table was lost by the following vote:

Yeas—10.

Miller.	Smith.
Moore.	Stuart.
Neal.	Ward.
Reid.	Witt.
Russek.	Woodward.

Nays—18.

Bailey.	Fairchild.
Berkeley.	Floyd.
Bledsoe.	Greer.
Bowers.	Hall.

H. B. No. 359, A bill to be entitled "An Act repealing Article 7067 of the Revised Civil Statutes of Texas, 1925, imposing an occupation tax on any individual, company, corporation or association owning, operating or controlling any interurban, trolley, traction, or electric street railway in this State and charging for transportation of said railway, and providing for the payment of a franchise tax by such individual, company, corporation, or association, and declaring an emergency."

The bill was read second time.

Senator Pollard made the point of order that the Journal in which this bill was printed was not laid on the table until 3:30 o'clock yesterday afternoon, and that it had not been on the desk for twenty-four hours.

The Chair sustained the point of order and held that the rules required bills to be on the desk a full twenty-four hours.

Senator Bledsoe moved to make this bill a special order for tomorrow morning after the morning call.

The motion was lost by the following vote:

Yeas—8.

Bledsoe.	Neal.
Bowers.	Pollard.
Fairchild.	Triplett.
McFarlane.	Wood.

Nays—20.

Bailey.	Price.
Berkeley.	Real.
Floyd.	Reid.
Hall.	Russek.
Hardin.	Smith.
Holbrook.	Stuart.
Lewis.	Ward.
Love.	Westbrook.
Miller.	Witt.
Moore.	Woodward.

Absent.

Greer.	Wirtz.
Parr.	

Senator Moore moved to suspend the regular order of business and take up S. B. No. 359.

The motion prevailed by the following vote:

Yeas—25.

Bailey.	Floyd.
Bledsoe.	Hall.
Fairchild.	Holbrook.

Lewis.
Love.
Miller.
Moore.
Neal.
Pollard.
Price.
Real.
Reid.
Russek.

Smith.
Stuart.
Triplett.
Ward.
Westbrook.
Wirtz.
Witt.
Wood.
Woodward.

Nays—1.

Bowers.

Absent.

Present—Not Voting.

McFarlane.

Berkeley.	Hardin.
Greer.	Parr.

The bill was read second time and passed to engrossment.

On motion of Senator Witt, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 359 was put on its third reading and final passage, by the following vote:

Yeas—27.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Greer.	Reid.
Hall.	Russek.
Hardin.	Smith.
Holbrook.	Stuart.
Lewis.	Triplett.
Love.	Ward.
McFarlane.	Westbrook.
Miller.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.

Nays—1.

Fairchild.

Absent.

Bowers.	Floyd.
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The bill was read third time and passed finally.

S. J. R. No. 24.

Senator Williamson moved that the Senate do not concur in the House amendments to S. J. R. No. 24 and that a conference be requested.

The motion was adopted.

The Chair appointed the following committee on the part of the Senate:

Stuart, Wood, Bailey, Lewis, and Bledsoe.

Holbrook.	Price.
Lewis.	Real.
Love.	Westbrook.
McFarlane.	Wirtz.
Pollard.	Wood.

Absent.

Hardin.	Triplett.
Parr.	

Senator Love sent up the following amendment to the amendment:

Amend Section 11, by adding at the end thereof the following:

"The motor bus company and the insurance company carrying the insurance required by this section may be issued jointly in any action for damages arising for injury to person or property through the operation of any such motor bus or motor busses."

The amendment was read and adopted.

The amendment as amended was adopted.

Senator Price sent up the following amendment:

Amend H. B. No. 50, Section 5, page 665, by adding after the word "route" at the end of Section 5, the following: "Provided, however, that any right, privilege, permit or certificate held, owned or obtained by any motor bus company under the provisions of this Act or owned or obtained by any assignee or transferee of any such motor bus company shall be taken and held subject to the right of the State at any time to limit, restrict or forbid the use of the streets and highways of this State to any owner or holder of such right, privilege, permit or certificate."

The amendment was read and adopted.

Senator Wirtz sent up the following amendment:

By Senators Wirtz, Bailey and Holbrook:

Amend H. B. No. 50, by striking out Section 6 and the first paragraph of Section 7 of the printed bill on page 665 of the Journal, and in lieu thereof insert the following:

Sec. 6. The Commission shall have power to refuse such certificate or permit only in the event it appears to the Commission that the applicant can not comply with the provisions and requirements of this Act, or with the rules and regulations of the Commission promulgated hereunder.

The amendment was read.

Bills Referred.

After its caption was read the Chair referred the following bill and resolution:

House Bill No. 316 read and referred to Committee on Stock and Stock Raising.

House Joint Resolution No. 27 was read and referred to Committee on Constitutional Amendments.

Bills Signed.

The Chair (Pres. Pro Tem Wood) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 355.	H. B. No. 484.
H. B. No. 256.	H. B. No. 257.
H. B. No. 455.	H. B. No. 556.
H. B. No. 483.	H. B. No. 557.

Message From The Governor.

The Chair recognized the Doorkeeper, who introduced a messenger from the Governor, with the following executive message:

Executive Office,

Austin, Texas, March 3, 1927.

To the Honorable Senate of the State of Texas.

Gentlemen: With your advice and consent, I desire to appoint the following named persons as notaries public of the respective counties listed below. These are presented for appointment under authority of Senate Bill No. 29 of the Fortieth Legislature:

Wichita County.

R. L. Edmondson, Ola Cochran, D. S. Lovelace, M. B. Dunagan, Homer Grizzine.

Dallas County.

James A. Goswick, 1207 Cotton Exchange Bldg., Dallas; Earl T. Martin, 1407 Cotton Exchange Bldg., Dallas.

Falls County.

Robt. F. Higgins, Marlin National Bank Bldg., Marlin.

McLennan County.

Miss Welda Mar Carroll, c/o Witt, Terrell & Witt, Waco.

Tarrant County.

R. N. Riddle, 512 Worth Bldg.,
Fort Worth.

Lipscomb County.

Gladys S. Glisan, Higgins.

Hemphill County.

Dollie M. Ray, Canadian; J. Harry
Knisely, Jr., Canadian; A. W. Poteet,
Glazier.

Coleman County.

Maurine S. Cearnal, 413 College
Avenue, Coleman.

Brown County.

Dazie Noel, Brownwood.

Tom Green County.

Roy R. Priest, San Angelo.

Harris County.

I. K. Sheffield, Houston; Robert
M. Washburne, 604 Public National
Bank, Houston; P. H. Lamb, 515
Kress Bldg., Houston; Bertha New-
ton, c/o La-Ward Land & Immigra-
tion Co., Houston; Beatrice Weir,
c/o La-Ward Land & Immigration
Co., Houston; Mary E. Thompson,
c/o Jno. T. Moore, Medical Arts
Bldg., Houston; Olin C. Johnson,
Houston Oil Company, Houston; Mrs.
Theo. D. Bruce, James Furniture Co.,
Houston; N. H. Smith, C. A. Bryan
Corp., Houston; W. J. Coulson, Attor-
ney, Houston; J. L. Keeper, Public
Accountant, Houston; L. M. Rowley,
c/o Metropolitan Prop. Corp., Hous-
ton; Vivian Gentry, c/o Blake Hum-
preville Const. Co., Houston.

Fort Bend County.

J. W. Balke, Rosenberg; C. L.
Bailey, Rosenberg; W. F. Finck,
Rosenberg; Mrs. C. M. Glasgow,
Rosenberg; Kitty Lane, Richmond;
Willie Mae Otto, Rosenberg; W. H.
Penkert, Beasley; W. W. Ward, Ros-
enberg.

Respectfully submitted,
DAN MOODY,
Governor.

Executive Office,

Austin, Texas, March 3, 1927.

To the Honorable Senate of the State
of Texas.

Gentlemen: With your advice and
consent I desire to appoint the fol-

lowing named persons to be public
weighters at Galveston, Texas. These
gentlemen have been recommended
by the Senator and Representatives
of that district, as required by law.

J. J. Lauve, 3818 Broadway, Gal-
veston; J. A. Straub, 3719 Avenue N,
Galveston; C. M. Shannon, 1607
Avenue N, Galveston; J. E. Labuzan,
League City; V. A. Smith, 3601
Avenue E, Galveston; O. R. Hoecker,
3311 Avenue O, Galveston; A. C.
Still, 37th St., between H & I, Gal-
veston; S. B. Bowers, c/o Southern
Products Co., Galveston; Worthy
Boyd, 1715 Avenue F, Galveston;
Melvin B. Green, Dickinson; J. C.
Murphy, 3402 Avenue S, Galveston;
J. B. Gibson, c/o Crespi & Co., Gal-
veston; E. K. Marrast, Dickinson;
H. T. Nelson, 623 Avenue H, Galves-
ton; Ernest G. Lewis, c/o E. H. Per-
ry & Co., Galveston; C. M. Wolston,
3302 Avenue A, Galveston; J. A.
Shannon, 3717 Avenue L, Galveston;
T. T. Herzog, 1210 Avenue E, Gal-
veston; John Garrison, c/o Cotton
Concentration Co., Galveston.

Respectfully submitted,
DAN MOODY,
Governor.

Senate Bill No. 253.

Senator Westbrook spread on the
Journal a motion to reconsider the
vote by which the Senate refused to
engross S. B. No. 253.

Simple Resolution No. 71.

Senator Wirtz received unanimous
consent to send up the following
resolution:

By Senators Russek, Wirtz, Poll-
ard, Fairchild, Holbrook, Green,
Smith, Ward, Woodward, Lewis,
Miller, McFarlane, Reid, Moore,
Bowers, Hall, Witt, Westbrook,
Price:

Be it Resolved, That the House
of Representatives be requested to
return Senate Bill No. 273 for fur-
ther consideration by the Senate.

The resolution was read and
adopted.

Senate Bill No. 169.

Senator Real moved that the
Senate concur in the following
amendments to S. B. No. 169:

Amend S. B. No. 169 by striking
out all after the words "any such
corporation" in line....., section 1,
and inserting in lieu thereof the fol-
lowing:

"shall have all the rights and powers of extension now or hereafter possessed and enjoyed by public service corporations engaged in supplying and selling electric light, power and gas, or either of them as provided by law; and the powers herein granted shall not repeal either expressly or implied any of the anti-trust laws of the State of Texas.

The Senate concurred in the amendments by the following vote:

Yeas—26.

Bailey.	Moore.
Berkeley.	Neal.
Bowers.	Pollard.
Fairchild.	Price.
Floyd.	Real.
Greer.	Reid.
Hall.	Smith.
Hardin.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Wirtz.
McFarlane.	Wood.
Miller.	Woodward.

Absent—Excused.

Bledsoe.	Westbrook.
Parr.	Witt.
Russek.	

Senate Bill No. 460.

On motion of Senator Russek, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 460 was put on its third reading and final passage, by the following vote:

Yeas—30.

Bailey.	Neal.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Moore.	Woodward.

Absent.

Parr.

The bill was read third time and passed finally, by the following vote:

Yeas—30.

Bailey.	Neal.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Moore.	Woodward.

Absent.

Parr.

House Bill No. 50.

The question recurred upon the adoption of the amendment by Senator Wirtz.

The amendment was lost by the following vote:

Yeas—14.

Bailey.	McFarlane.
Bledsoe.	Neal.
Fairchild.	Pollard.
Hall.	Price.
Holbrook.	Russek.
Lewis.	Triplett.
Love.	Wirtz.

Nays—15.

Berkeley.	Smith.
Bowers.	Stuart.
Floyd.	Ward.
Greer.	Westbrook.
Miller.	Witt.
Moore.	Wood.
Real.	Woodward.
Reid.	

Absent.

Hardin. Parr.

Simple Resolution No. 72.

Senator Fairchild sent up the following resolution:

By Senators Fairchild, Holbrook, Woodward, Moore, Neal, McFarlane, Bledsoe, Wirtz:

Whereas, on the recent trip to the State Penitentiaries System farms, the success of the trip was due largely to the hearty co-operation of the citizens of the various places visited on the trip,

Therefore, be it Resolved, That sincere thanks for the hospitality

and the many courtesies shown to the party making said trip be extended by the Committee on Penitentiaries and the Senate as a whole to the citizens of the different points visited; and to the Angleton Commerce League, the Freeport Commerce League, The Texas Sulphur Company, the Southern Pacific Railroad Company, and to each and every one who in any way contributed to the success and pleasure of the trip, we individually and collectively extend our most cordial and sincere thanks.

The resolution was read and adopted.

FAIRCHILD, Chairman.

Senator Bledsoe sent up the following resolution:

By Bledsoe. S. R. No. 73.

Whereas, Professor J. G. H. Buck, father of General Beaumont Buck, expects to be in this City shortly, and

Whereas, Professor Buck is a man ninety years of age but with his mental faculties as alert as when during his forty years of experience as teacher in this State he helped to mould the minds and characters of his pupils, and

Whereas, Many of these former pupils are today numbered among the leading citizens of this State and still love and revere their old school master,

Therefore, be it Resolved, That Professor Buck be invited to address the Senate while in the City of Austin.

BLEDSON,
WITT.

The resolution was read and adopted.

Recess.

On the motion of Senator Woodward, the Senate at 4:45 recessed until tomorrow morning at 10 o'clock.

APPENDIX.

Committee on Enrolled Bills.

Committee Room,

Austin, Texas, March 3, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. C. R. No. 24 carefully examined and compared and find the same correctly enrolled

and have this day at 12:05 o'clock p. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 3, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 457 carefully examined and compared and find the same correctly enrolled and have this day at 9 o'clock a. m. presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee on Engrossed Bills

Committee Room,

Austin, Texas, March 3, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. J. R. No. 27 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, March 3, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 191 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, March 3, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 299 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, March 3, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 412 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, March 3, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-

grossed Bills have had S. B. No. 421 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 2, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 450 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 3, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 461 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, March 3, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 564, A bill to be entitled "An Act making appropriations to cover deficiencies in appropriations heretofore made for the support of the State government for the fiscal years ending August 31, 1926, and August 31, 1927 and declaring an emergency."

Have had same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass, and be not printed.

WOOD, Chairman.

Committee Room,
Austin, Texas, March 3, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 464, A bill to be entitled "An Act amending Article 2529, Revised Civil Statutes of 1925, relating to the security required of State depository banks and fixing the interest rate to be paid by said banks; amending Article 2533, Revised Civil Statutes of 1925, providing for the waiving of the payment of interest on such funds by Reserve depository

banks under certain circumstances; repealing Article 2538, Revised Civil Statutes of 1925, authorizing the Treasurer to invest State funds in United States Government bonds, and repealing Articles 2540, 2541, 2542 and 2543, Revised Civil Statutes of 1925, creating the Texas Rate Making Board and fixing its duties, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate, with the recommendation that it do pass and be printed in the Journal.

HOLBROOK, Vice-Chairman.

By Holbrook. S. B. No. 464.

A BILL

To Be Entitled

An Act amending Article 2529, Revised Civil Statutes of 1925, relating to the security required of State Depository Banks and fixing the interest rate to be paid by said Banks; amending Article 2533, Revised Civil Statutes of 1925, providing for the waiving of the payment of interest on such funds by Reserve Depository Banks under certain circumstances; repealing Article 2538, Revised Civil Statutes of 1925, authorizing the Treasurer to invest State Funds in United States Government Bonds, and repealing Articles 2540, 2541, 2542 and 2543, Revised Civil Statutes of 1925, creating the Texas Rate Making Board and fixing its duties, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Articles 2538, 2540, 2541, 2542 and 2543, Revised Civil Statutes of 1925, be repealed and that Articles 2529 and 2533, Revised Civil Statutes of 1925, be amended so as to hereafter read as follows:

"Article 2529. Qualifications of Depositories.—As soon as practicable after the Board shall have passed upon all applications, the Treasurer shall notify all banks whose applications have been accepted of their designation as State depositories. The Treasurer shall require each bank so designated to qualify as a State depository on or before the twenty-fifth day of November next succeeding by (a) depositing a depository bond signed by some surety company authorized to do business in Texas in an amount

equal to not less than double the amount of State funds allotted, such bond to be payable to the Treasurer and to be in such form as may be prescribed by the Board and subject to the approval of such board; or (b) by pledging with the Treasurer any securities of the following kinds in an amount at par value one-fifth greater than the amount of State funds allotted; bonds and certificates of indebtedness of the United States, bonds of the State, bonds of the Federal Land Banks located in Texas, bonds of counties, independent school districts and common school districts located in Texas, and bonds issued by municipal corporations in Texas. No State, county, independent school district, common school district or municipal bonds shall be accepted as collateral security unless they shall be approved by the Attorney General. The Board shall have the power to reject, without assigning any reason therefore, any or all collateral of any surety bond tendered by a State Depository, and its action in so doing shall be final and not subject to any review.

When the collateral pledged by a State Depository to secure a deposit of State school funds shall be in excess of the amount required under the provisions of this chapter, the Treasurer may, subject to the approval of the Board, permit the release of any such excess. In the event the balance to the credit of the Treasurer on the books of such bank shall be thereafter increased, adequate security as provided for in this chapter, shall be deposited and maintained by such depository bank.

State depositories shall pay interest to the State at the rate of 4 per cent on average daily net balances, payable monthly."

"Article 2533. Reserve Depositories.—The Board shall designate one or more banks in centrally located cities to be known as Reserve Depositories, to be used for clearing checks and other obligations due the State, and the Treasurer shall keep sufficient funds on deposit in said depositories to meet all current demands upon the State. All items received by the Treasurer for collection shall be deposited with such depositories for credit to the account of the Treasurer, and all checks drawn by the Treasurer for the payment of obligations due by the State may be drawn on a Reserve Depos-

itory or on a State Depository, so that the checks of the State may at all times pass current as cash. Reserve Depositories shall pay interest to the State at the customary rate paid by said depositories to their correspondent banks on average daily net balances, payable monthly, provided however the State Treasurer is hereby authorized to waive the collection of such interest from any Reserve Depository on funds in like amount for the period of time such Depository may be holding at the request of the State Treasurer, treasury warrants drawn against the general revenue fund to assist him in preventing the State from going on deficiency."

Sec. 2. The importance of this act and the fact that it is to the best interest of the State in handling of State funds that this Act become a law, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 2, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 448, A bill to be entitled "An Act amending Article 350, Revised Civil Statutes of Texas of 1925, so as to authorize the Banking Commissioner of Texas to appoint State Bank Examiners, not to exceed one for each thirty banking corporations subject to examination; and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass with amendment and be not printed.

HOLBROOK, Vice-Chairman.

Committee Amendment.

Amend House Bill No. 448 by adding a new paragraph at the end of Section 1, as follows:

"Any person who shall deposit with or pay into any depository of county funds, qualified under this Act, selected under the law, which shall have pledged securities to secure such county funds, or who shall

accept any such deposit without first having ascertained that such county depository has pledged and in the hands of the commissioners court, for the purpose of securing such county funds, securities of the kind permitted by law, equal in amount to the total amount of funds of the county which will be deposited with such depository after such deposit is made, shall be guilty of a felony and, upon conviction, shall be imprisoned in the State Penitentiary for a term of not less than one year."

Committee Room,

Austin, Texas, March 2, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 487, A bill to be entitled "An Act amending Article 351, Revised Civil Statutes of Texas, 1925, changing and increasing the compensation of Field Examiners for State Banks and Banking Corporations; and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Vice-Chairman.

Committee Room,

Austin, Texas, March 2, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 500, A bill to be entitled "An Act to repeal Article 348, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Vice-Chairman.

Committee Room,

Austin, Texas, March 2, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 501, A bill to be entitled "An Act requiring the Banking Commissioner of Texas to file a final report of all liquidations; providing that upon approval of such final report the charter of each such bank shall be forfeited; and further providing for the filing of certificates

of each forfeiture; and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Vice-Chairman.

Committee Room,

Austin, Texas, March 2, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 502, A bill to be entitled "An Act requiring Directors of State Banks, Bank and Trust Companies and Banking Corporations, organized and doing business under the laws of this State, to be elected annually; and declaring an emergency."

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Vice-Chairman.

Committee Room,

Austin, Texas, March 2, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 503, A bill to be entitled "An Act relieving State Banks in the hands of the Banking Commissioner for liquidation, from the payment of franchise taxes; providing that the failure of the Commissioner to pay franchise taxes for any such bank shall not operate to revoke or forfeit the charter of such corporation; eliminating the filing with the Secretary of State of any report for the franchise tax; repealing all laws in conflict; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Vice-Chairman.

Committee Room,

Austin, Texas, March 2, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 504, A bill to be entitled "An Act amending Article 517, Revised Civil Statutes of Texas, 1925,

and providing that no attorneys fee shall be collectible on notes or other evidences of debt issued by a State bank in the hands of the Commissioner for liquidation, where such notes or other evidence of debt are placed with an attorney for collection within thirty days after closing of such bank; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Vice-Chairman.

Committee Room,
Austin, Texas, March 2, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, Your Committee on Banking, to whom was referred

H. B. No. 505, A bill to be entitled "An Act prohibiting the Banking Commissioner and his employees from purchasing, directly or indirectly, an asset belonging to a State bank in the hands of the Commissioner for liquidation; providing penalty; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Vice-Chairman.

Committee Room,
Austin, Texas, March 2, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 506, A bill to be entitled "An Act amending Article 497, Revised Civil Statutes of Texas, 1925, and empowering the Banking Commissioner to require from State banks any statement concerning the affairs of such corporations as he may deem necessary; providing a penalty; fixing the venue of suits, and the disposition of penalties collected, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Vice-Chairman.

Committee Room,
Austin, Texas, March 2, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 507, A bill to be entitled "An Act repealing Article 372, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Vice-Chairman.

Committee Room,
Austin, Texas, March 2, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 509, A bill to be entitled "An Act making it a felony for any stockholder, officer, director, employee, or agent of any bank, incorporated and operating under the laws of this State, to abstract, remove, destroy, or secrete any papers, books or records of any such bank, or from the custody of the Banking Commissioner; providing a penalty; prescribing the procedure for the indictment and trial of principal offenders, accomplices, and accessories; repealing all laws in conflict, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Vice-Chairman.

Committee Room,
Austin, Texas, March 2, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 510, A bill to be entitled "An Act making it a felony for any director, officer, or employee of a State bank or bank and trust company incorporated under the laws of this State who is, or may be actively engaged in the handling of the funds of any bank or bank and trust company and who is, or may be receiving a yearly or monthly salary from said bank or bank and trust company to enter into and contract with a bucket shop, as defined in Article 659, of the Penal Code of Texas, or to place any

order with a bucket shop, as thus defined, for a margin contract or any contract denounced by Article 658 and by Article 661 of the Penal Code of Texas; fixing a penalty, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

Committee Room,

Austin, Texas, March 2, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 511, A bill to be entitled "An Act to amend Article 373, Revised Civil Statutes of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, eliminating therefrom the words 'and a receiver or other agency appointed for the liquidation of its affairs and the payment of its debts,' and substituting therefor the following: 'and taken over by the Banking Commissioner of Texas for the purpose of liquidation, as provided by law,' and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Vice-Chairman.

Committee Room,

Austin, Texas, March 2, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 512, A bill to be entitled "An Act requiring all State banks to charge off annually for depreciation a percentage of cost of furniture and fixtures and regulating the carrying of bank buildings as an asset, and declaring an emergency.

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Vice-Chairman.

Committee Room,

Austin, Texas, March 2, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 513, A bill to be entitled

"An Act to amend Article 455, Revised Civil Statutes of Texas, and eliminating therefrom the provision that stockholders who are depositors of insolvent banks shall be protected for only that portion of their deposits over and above their liability as stockholders; and providing for the venue of suits to enforce stockholders' liability, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Vice-Chairman.

Committee Room,

Austin, Texas, March 2, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 514, A bill to be entitled "An Act amending Article 544 of the Penal Code of the State of Texas, of 1925, reducing the minimum penalty for embezzling or misapplying the funds of any State bank or bank and trust company incorporated under the laws of Texas from five years to two years, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Vice-Chairman.

Committee Room,

Austin, Texas, March 2, 1927.

Hon. Barry Miller, President of the Senate.

Sir We, your Committee on Banking, to whom was referred

H. B. No. 532, A bill to be entitled "An Act prohibiting the sale by any officer, director or employee of a State bank of any note, security or property to such bank without the written consent of the board of directors."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Vice-Chairman.

Committee Room,

Austin, Texas, March 2, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 533, A bill to be entitled "An Act prohibiting any person from being president and cashier, at the same time, in any bank, organized and operated under the laws of this State."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Vice-Chairman.

Committee Room,
Austin, Texas, March 2, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 534, A bill to be entitled "An Act to authorize the admission in evidence, in suits to which the Banking Commissioner of Texas may be a party, of all books, records, papers and documents, or certified copies thereof, of insolvent banks in course of liquidation by the Commissioner; and providing that such originals or certified copies shall be prima facie evidence of the facts therein contained, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Vice-Chairman.

Committee Room,
Austin, Texas, March 2, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 536, A bill to be entitled "An Act to relieve the Banking Commissioner of Texas and the State Banking Board from giving cost bonds in trial courts, and cost bonds and supersedas bonds on appeal; repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Vice-Chairman.

Committee Room,
Austin, Texas, March 2, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 546, A bill to be entitled

"An Act providing for and regulating the amendment of charters of State banks and State bank and trust companies, and declaring an emergency, and I am instructed to re-gency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Vice-Chairman.

Committee Room,
Austin, Texas, March 3, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 29, A joint resolution "Ratifying an amendment to the Constitution of the United States, relating to the labor of persons under eighteen years of age."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do not pass.

STUART, Chairman.

Committee Room,
Austin, Texas, March 3, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 508, A bill to be entitled "An Act to require all State banks, Savings banks, and bank and trust companies to adopt by-laws and to file certified copies of such by-laws with the Banking Commissioner: providing a penalty, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, with committee amendments, and be printed.

HOLBROOK, Vice-Chairman.

Committee Amendment to House Bill
No. 508.

Amend H. B. No. 508, by striking out all of Section 1 and inserting in lieu thereof the following:

Section 1. Hereafter all State banks, savings banks and bank and trust companies shall adopt by-laws and every such corporation shall file a certified copy of said by-laws with the Banking Commissioner and if said by-laws shall at any time be

amended a certified copy of said amendment shall be filed with the Banking Commissioner.

Committee Room,
Austin, Texas, March 3, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 517, A bill to be entitled "An Act to amend Article 2547 (2443), Chapter 2, Title 47, Revised Civil Statutes of 1925, which article provides for the execution of bonds for securing county deposits; provides who may make such bonds, the manner in which such deposits shall be secured and the amount of such bonds; and which amendment to said Article 2547 (2443) provides for the making of bonds for the securing of county deposits, declaring who may make such bonds and the amount and character of the security that may be accepted by the commissioners' court to secure such deposits; provides that any banking corporation, association, or individual banker selected as county depository may, in lieu of execution of bond, pledge and deposit with the commissioners' court United States bonds, certificates of indebtedness of the United States, bonds of the State of Texas, or of any county, city, town, independent school district, common school district, or bonds issued under the Federal Farm Loan Act, or road district bonds; providing for the increase or reduction of the securities so pledged or for substitution of such securities; provides for venue of suits on bonds, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

Committee Room,
Austin, Texas, March 3, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

H. B. No. 545. A bill to be entitled "An Act amending Article 506, Revised Civil Statutes, 1925, and requiring State banks and State bank and trust companies to increase their capital stock when there shall be an undue excess of deposits over capital stock and surplus, and giving the

Banking Commissioner authority to require an additional increase of capital stock of such corporations when necessary for the protection of depositors; prescribing the ratio of deposits to capital stock and surplus; requiring annual reports of total average daily deposits and the time thereof; making directors personally liable to depositors, in event of failure to comply with the provisions of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, with committee amendments, and be not printed.

HOLBROOK, Vice-Chairman.

Committee Amendment No. 1 to
House Bill No. 545.

Amend H. B. No. 545, by striking out the word "shall" just after the word "Commissioner" in line 15, of page 2 and insert in lieu thereof the following: "may in his discretion if he deems it necessary for the protection of the depositors."

Committee Room,
Austin, Texas, March 1, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

H. B. No. 7, A bill to be entitled "An Act prohibiting the sale or offer for sale, transportation, preparation, receiving or delivery for transportation or marketing of citrus fruit that is immature, unripe, over-ripe, frost damaged or otherwise unfit for consumption and the sale thereof declared to be a fraud upon the public; defining terms; prescribing the power and duties of the Commissioner of Agriculture with regard to the provisions of this Act; providing for the enforcement thereof and prescribing penalties for violation of any of the provisions of this Act."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass with the committee amendment attached, and that the bill be not printed.

HARDIN, Chairman.

Committee Amendment.

Amend H. B. No. 7, by striking out Section 17 on page 9.

Committee Room,
Austin, Texas, March 3, 1927.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred H. B. No. 485, A bill to be entitled "An Act abolishing the office of district attorney in the Second Judicial District of Texas, fixing the duties of the county attorneys of said district, and fixing their compensation, repealing all laws or parts of laws in conflict herewith and providing when said Act shall be effective."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

PRICE, Chairman.

THIRTY-FOURTH DAY.

After Recess.

Senate Chamber,
Austin, Texas.

Friday, March 4, 1927.

The Senate was called to order at 10:00 o'clock a. m., Friday, pursuant to recess, by Lieutenant Governor Miller.

Communication From Congress.

The Chair laid before the Senate the following communication from Congress which was ordered printed in the Journal:

House of Representatives
Clerk's Office

Washington, D. C.,
February 28, 1927.

The President of the Senate,
State Legislature,
Austin, Texas.

Dear Sir:

I have the honor to transmit in accordance therewith copy of a concurrent resolution of the Congress of the United States inviting the co-operation of the executives and legislatures of the several states and territories of the United States with the United States Commission for the Celebration of the Two Hundredth Anniversary of the Birth of George Washington.

Very respectfully,

Wm. TYLER PAGE, Clerk,
House of Representatives. U. S.

H. C. R. 57.

Passed House February 22, 1927;
passed Senate February 23, 1927.

Sixty-ninth Congress of the United States of America, at the Second Session, begun and held at the City of Washington on Monday, the sixth day of December, one thousand nine hundred and twenty-six.

Concurrent Resolution.

Whereas, the joint resolution of Congress approved December 2, 1924, created the United States Commission for the Celebration of the Two Hundredth Anniversary of the Birth of George Washington, composed of nineteen commissioners, as follows: The President of the United States; Presiding Officer of the Senate and the Speaker of the House of Representatives, ex officio; eight persons appointed by the President of the United States; four Senators and four Representatives, whose duty it is to prepare a plan or plans and a program signaling the two hundredth anniversary of the birth of George Washington, and to take such steps as may be necessary in the coordination and correlation of plans prepared by State commissions or by bodies created under appointment by the governors of the respective States and by representative civic bodies; therefore

Be it Resolved by the House of Representatives (the Senate concurring), That the Congress of the United States earnestly and respectfully invites the full cooperation of the legislatures and chief executives of the respective states and territories of the United States in the execution of the joint resolution of Congress creating the United States Commission for the Celebration of the Two Hundredth Anniversary of the Birth of George Washington in such manner as may seem to them most fitting to the end that the bicentennial anniversary of the birth of him who was "first in war, first in peace, and first in the hearts of his countrymen"—the pioneer, the soldier, the statesman, the husbandman, the exemplar of American citizenship, George Washington, may be commemorated in the year 1932 in such manner that future generations of American citizens may live according to the example and precepts of his exalted life and character and